

Serial No. 10/670,502

Attorney Docket No. 26A-010

REMARKS

Claims 21-23 and 25-31 are pending. Claims 1-20 and 24 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 21, 22, 24 and 29 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,743,417, Bakkelunn ("Bakkelunn"). Independent claims 21 and 29 have been amended. Support for the amendment is located in the specification, for example, page 9, lines 4-8 and page 11, lines 16-19. Insofar as the rejection may be applied to the claims as amended, the applicants respectfully request that this rejection be withdrawn for reasons including the following, which are provided by way of example.

Independent claim 21 recites in combination, for example, "forming a releasing agent layer adhered to a wall surface of a cavity of a mold that is in a closed state by injecting a first liquid containing a releasing agent and a solvent into the cavity and depressurizing the cavity to a pressure at which the solvent boils, wherein the depressurizing includes vaporizing the solvent in the closed cavity and evacuating the vaporized solvent from the closed cavity." The evacuation of the evaporated solvent causes a dried or partially dried releasing agent layer to form which adheres well to the wall of the cavity. Consequently, separation of the releasing agent layer from the cavity surface can be presented.

The office action asserts that Bakkelunn discloses the invention as claimed. To the contrary, Bakkelunn fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole.

In the current independent claims 21 and 29, as compared with Bakkelunn, the injection of the first liquid, the formation of the releasing agent layer, and the supply of the molding

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material are performed when the mold is in a closed state. Accordingly, the work site will not be contaminated with the first liquid (which contains the releasing agent) and the molding material.

Bakkelunn does not teach or suggest performing the foregoing when the mold is in a closed state. To the contrary, Bakkelunn discloses applying the materials on an open or exposed mold (F). (Fig. 1; Col. 4, lines 20-28.) Optionally, Bakkelunn's entire spraying of the open or exposed mold takes place inside a negative pressure chamber. (Col. 4, lines 44-48; col. 2, lines 11-13.)

Notably, the office action fails to cite any portion of Bakkelunn directed to performing the steps "while the mold is closed" (see previous claim 24 or previous claim 21). To the contrary, portions of Bakkelunn cited in the office action in connection with claim 24 discuss the pressure chamber in which the exposed mold is placed. See also Col. 2, lines 6-13 ("A second feature of the invention comprises the usage of a second zone in the form of a negative pressure chamber ... said chamber contains an open or exposed mold on which the mixture of foaming agent and polyester is sprayed"); Col. 4, lines 44-46 ("Alternatively, referring to FIG. 4, the entire process ... may take place inside the chamber 10.") The citation of the mold and the pressure chamber -- two completely different and separate elements -- as teaching a single recited element conclusively shows that the claims are patentable over the reference.

The office action also states that Bakkelunn's mold has a cavity, citing the abstract. To the contrary, a close review of Bakkelunn fails to reveal that it teaches a mold having a cavity. If the examiner maintains this contention, she is respectfully requested to cite to a specific portion of Bakkelunn or to withdraw the rejection.

Moreover, the office action contends that "Bakkelunn does, in fact, teach carrying out the entire layering process within an enclosed area." (Page 8, lines 3-4.) Notably, the "enclosed

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area" of Bakkelunn is the pressure chamber; the mold on which the mixture is sprayed is inside the chamber. Bakkelunn does not teach applying the layer to the pressure chamber. Again, the office action has confused the "pressure chamber" with the "mold." These are two separate and distinct elements of Bakkelunn. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). It is improper to combine characteristics of two completely separate and distinct elements as teaching one recited element, as the examiner has done in this application.

Bakkelunn fails to teach or suggest, for example, these elements recited in independent claims 21 and 29. It is respectfully submitted therefore that claims 21 and 29 are patentable over Bakkelunn.

For at least these reasons, the combination of features recited in independent claims 21 and 29, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Bakkelunn clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicants respectfully submit that these claims are allowable not only by virtue of their dependency from independent claims 21 and 29, but also because of additional features they recite in combination.

Dependent claims 23, 26-28, 30 and 31 were rejected under 35 USC 103(a) as being unpatentable over Bakkelunn in view of U.S. patent No. 5,628,944, Nagasaka et al ("Nagasaka").

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These claims depend from claims 21 or 29, which are allowable for the reasons discussed above. Moreover, it is respectfully submitted that Nagasaka fails to remedy the deficiencies of Bakkelunn discussed above. It is respectfully submitted therefore that claims 23, 26-28, 30 and 31 are allowable.

Dependent claim 25 was rejected under 35 USC 103(a) as being unpatentable over Bakkelunn in view of U.S. Patent No. 3,768,232, Farber ("Farber"). This claim depends from claim 21, which is allowable for the reasons discussed above. Moreover, it is respectfully submitted that Farber fails to remedy the deficiencies of Bakkelunn discussed above. It is respectfully submitted therefore that claim 25 is allowable.

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

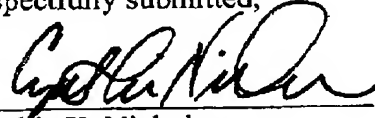
In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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